

SENATE BILL 2195
By Bryson

AN ACT to amend Chapter 113 of the Private Acts of 1987, as amended by Chapter 172 of the Private Acts of 1990, and any other acts amendatory thereto, relative to Williamson County adequate school facilities tax.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 113 of the Private Acts of 1987, as amended by Chapter 172 of the Private Acts of 1990, and any acts amendatory thereto, is amended by deleting Section 1 in its entirety and substituting instead the following language:

Section 1. This act shall be known and cited as the "Williamson County Adequate School Facilities Tax".

SECTION 2. Chapter 113 of the Private Acts of 1987, as amended by Chapter 172 of the Private Acts of 1990, and any acts amendatory thereto, is further amended by deleting Section 2(o) in its entirety and substituting instead the following language:

(o) "Public School Facility or Facilities" means the construction or physical improvement undertaken by the county including, but not limited to, school buildings, school parking areas, or other school structures benefiting the citizens of Williamson County.

SECTION 3. Chapter 113 of the Private Acts of 1987, as amended by Chapter 172 of the Private Acts of 1990, and any acts amendatory thereto, is further amended by deleting Section 3 in its entirety and substituting instead the following language:

Section 3.

It is the intent and purpose of this act to authorize Williamson County to impose a tax on new development in the county payable at the time of issuance of a building permit or certificate of occupancy so as to ensure and require that

the persons responsible for new development share in the burdens of growth by paying their fair share for the cost of new and expanded public school facilities made necessary by such development.

SECTION 4. Chapter 113 of the Private Acts of 1987, as amended by Chapter 172 of the Private Acts of 1990, and any acts amendatory thereto, is further amended by deleting Section 7 in its entirety and substituting instead the following language:

Section 7.

For the exercise of the privilege described herein, Williamson County may impose a tax on new development not to exceed one dollar (\$1.00) per gross square foot of new residential development and one dollar (\$1.00) per gross square foot of new non-residential development.

SECTION 5. Chapter 113 of the Private Acts of 1987, as amended by Chapter 172 of the Private Acts of 1990, and any acts amendatory thereto, is further amended by deleting Section 9 in its entirety.

SECTION 6. Chapter 113 of the Private Acts of 1987, as amended by Chapter 172 of the Private Acts of 1990, and any acts amendatory thereto, is amended by deleting Section 10 in its entirety and substituting instead the following language:

Section 10.

All tax funds collected shall be used for the purpose of providing public school facilities, the need for which is reasonably related to new development. The county, in budgeting its funds, shall utilize one hundred percent (100%) of the collected tax proceeds for the construction or renovation of public school facilities. The county shall make the appropriate distribution to the Franklin Special School District according to the ADA formula.

SECTION 7. Chapter 113 of the Private Acts of 1987, as amended by Chapter 172 of the Private Acts of 1990, and any acts amendatory thereto, is further amended by renumbering Sections 10 through 15 as Sections 9 through 14 respectively.

SECTION 8. Chapter 113 of the Private Acts of 1987, as amended by Chapter 172 of the Private Acts of 1990, and any acts amendatory thereto, is further amended by deleting the

language “public facility” and substituting instead the language “public school facilities” throughout the entire private act.

SECTION 9. This amendment shall have no effect unless it is approved by a two-thirds (2/3) vote of the county legislative body of Williamson County. Its approval or nonapproval shall be proclaimed by the presiding officer of the Williamson County Board of County Commissioners and certified by the presiding officer to the secretary of state.

SECTION 10. For the purpose of approving or rejecting the provisions of this amendment, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective upon being approved as provided in Section 9.